

AMENDMENTS TO THE CLAIMS

1. (Original) A method for allocating bandwidth in a broadband wireless communication system, wherein the wireless communication system includes a plurality of customer premise equipment (CPE) in communication with associated and corresponding base stations, and wherein the base stations maintain uplink and downlink sub-frame maps representative of the bandwidth allocations in the uplink and downlink communication paths, the method comprising the steps of:

- (a) obtaining a packet;
- (b) determining whether the packet of step (a) is a padding packet;
- (c) if the packet is a padding packet, alerting a base station CPU of the padding packet and an associated CPE, else returning to step (a);
- (d) reducing a bandwidth allocation of the associated CPE; and
- (e) returning to step (a).

2. (Original) The method for allocating bandwidth of Claim 1 wherein the alerting a base station CPU step (c) comprises transmitting a flag packet to a base station CPU.

3. (Currently Amended) The method for allocating bandwidth of Claim 2 wherein the flag packet comprises information regarding an associated ~~CPU~~CPE.

4. (Cancelled)

5. (Original) The method for allocating bandwidth of Claim 1 wherein the steps (a)-(c) are performed by a base station modem and the step (d) is performed by a base station CPU.

6. (Original) The method for allocating bandwidth of Claim 1 wherein the step (a) is performed by a base station modem and the steps (b)-(d) are performed by a base station CPU.

7. (Original) The method for allocating bandwidth of Claim 1 wherein the reducing a bandwidth allocation step (d) comprises resetting all requested bandwidth for the associated CPE.

8. (Original) An apparatus for allocating bandwidth in a wireless communication system, wherein the wireless communication system includes a plurality of customer premise equipment (CPE) in communication with associated and corresponding base stations, and wherein the base stations maintain uplink and downlink sub-frame maps

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representative of the bandwidth allocations in the uplink and downlink communication paths, comprising:

- (a) packet obtaining means for obtaining a packet;
- (b) packet determining means, coupled to the packet obtaining means, for determining whether a packet is a padding packet;
- (c) base station CPU alerting means, coupled to the packet determining means, for alerting a base station CPU of a padding packet and an associated CPE; and
- (d) bandwidth allocation reducing means, coupled to the base station CPU alerting means, for reducing a bandwidth allocation of the associated CPE.

9. (Original) The apparatus for allocating bandwidth in a wireless communication system as defined in Claim 8, wherein a base station modem comprises the packet obtaining means, the packet determining means and the base station CPU alerting means and wherein a base station CPU comprises the bandwidth allocation reducing means.

10. (Original) The apparatus for allocating bandwidth in a wireless communication system as defined in Claim 8, wherein a base station modem comprises the packet obtaining means and wherein a base station CPU comprises the packet determining means, the base station CPU alerting means and the bandwidth allocation reducing means.

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